

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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JAFARRIS MILLER, KIMBERLY  
MUHAMMAD, and ALTHEA SIMMONS,

Plaintiffs,

v.

REGINA MORRISON-NEWMAN,  
DILLON HOLZEMER, RANDY  
SANDERS, and RANDY SANDERS  
INVESTMENTS,

Defendants.

No. 22-cv-02067-SHM-atc

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ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING PLAINTIFFS' CLAIMS

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Plaintiffs Jaffaris Miller, Kimberly Muhammad, and Althea Simmons filed a pro se complaint against Defendants Regina Morrison-Newman, Dillon Holzemer, Randy Sanders, and Randy Sanders Investments on February 2, 2022, alleging fraudulent transfer of real property. (ECF No. 1.) On August 26, 2022, United States Magistrate Judge Annie T. Christoff filed a Report and Recommendation (the "Report") recommending that Plaintiffs'

claims be dismissed for failure to state a claim upon which relief may be granted and as frivolous. (ECF No. 10.) The Report recommends that Simmons' claims be dismissed because she failed to sign the complaint and because she is now deceased. (Id. at 2.) The Report recommends the remaining claims be dismissed because the complaint fails to allege facts that satisfy either element of Plaintiffs' 42 U.S.C. § 1983 claim. (Id. at 6.) For the following reasons, the Report is **ADOPTED** in full and Plaintiffs' claims are **DISMISSED**.

A district court has the authority to "designate a magistrate judge to conduct hearings, including evidentiary hearings, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by a judge of the court, of any motion . . . ." 28 U.S.C. § 636(b)(1)(B). Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of certain district court duties to magistrate judges. See United States v. Curtis, 237 F.3d 598, 602 (6th Cir. 2001) (citing Gomez v. United States, 490 U.S. 858, 869-70 (1989)); see also Baker v. Peterson, 67 F. App'x 308, 310 (6th Cir. 2003).

For dispositive matters, "[t]he district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The district court is not

required to review -- under a de novo or any other standard -- those aspects of the report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. See id. at 151.

A party may file objections to a report and recommendation within fourteen days of being served with a copy of the report. Fed. R. Civ. P. 72(b)(2). Magistrate Judge Christoff's Report and Recommendation was filed on August 26, 2022. Objections were due by September 9, 2022. (ECF No. 10.) No objections have been filed. Therefore, the Court **ADOPTS** the Report and Recommendation in full. Plaintiffs' claims are **DISMISSED**.

SO ORDERED this 27th day of September, 2022.

*/s/ Samuel H. Mays, Jr.*

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SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE